

House Study Bill 243

HOUSE FILE _____
BY (PROPOSED COMMITTEE ON
COMMERCE BILL BY
CHAIRPERSON PETERSEN)

Passed House, Date _____ Passed Senate, Date _____
Vote: Ayes _____ Nays _____ Vote: Ayes _____ Nays _____
Approved _____

A BILL FOR

1 An Act providing for the establishment of an abbreviated electric
2 transmission franchise process, and providing an effective
3 date.
4 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:
5 TLSB 2355YC 83
6 rn/nh/5

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1 1 Section 1. Section 478.1, Code 2009, is amended by adding
1 2 the following new subsection:
1 3 NEW SUBSECTION. 5. Notwithstanding any other provision of
1 4 this chapter, if an existing transmission line, wire, or cable
1 5 is operating at thirty-four and one-half kilovolts, it may be
1 6 franchised, rebuilt, and upgraded to be capable of operation
1 7 at sixty-nine kilovolts using an abbreviated franchise process
1 8 if the upgraded line will meet required safety standards, will
1 9 be on substantially the same right-of-way, and will have
1 10 substantially the same effect on the underlying properties.
1 11 The abbreviated franchise process shall not require published
1 12 notice or a public informational meeting. The board may adopt
1 13 rules defining relevant terms, setting forth the steps of the
1 14 abbreviated process, and specifying the requirements for the
1 15 petition. The franchise may be granted if the board finds the
1 16 upgraded line is necessary to serve a public use and
1 17 represents a reasonable relationship to an overall plan of
1 18 transmitting electricity in the public interest. The
1 19 franchise shall not become effective until the petitioner has
1 20 paid, or agreed to pay, all costs and expenses of the
1 21 franchise proceeding specified in section 478.4.
1 22 Sec. 2. EFFECTIVE DATE. This Act, being deemed of
1 23 immediate importance, takes effect upon enactment.

EXPLANATION

1 24 This bill establishes an expedited or abbreviated electric
1 25 transmission franchise approval process under specified
1 26 circumstances.
1 27
1 28 The bill provides that if an existing transmission line,
1 29 wire, or cable is operating at 34.5 kilovolts, it may be
1 30 franchised, rebuilt, and upgraded to 69 kilovolts using a
1 31 franchise process which eliminates public notice and public
1 32 informational meeting requirements otherwise applicable under
1 33 Code chapter 478. Utilization of the expedited process is
1 34 conditioned upon the upgraded line meeting required safety
1 35 standards, being on substantially the same right-of-way, and
2 1 having substantially the same effect on the underlying
2 2 properties. The bill authorizes the utilities board of the
2 3 utilities division of the department of commerce to adopt
2 4 rules defining relevant terms, setting forth the steps of the
2 5 abbreviated process, and specifying the requirements for the
2 6 petition for franchise. The bill provides that the franchise
2 7 may be granted if the board finds the upgraded line is
2 8 necessary to serve a public use and represents a reasonable
2 9 relationship to an overall plan of transmitting electricity in
2 10 the public interest, and that it will not become effective
2 11 until the petitioner has paid, or agreed to pay, all costs and
2 12 expenses of the franchise proceeding.
2 13 The bill takes effect upon enactment.
2 14 LSB 2355YC 83
2 15 rn/nh/5